

STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

LUCY BAXLEY, PRESIDENT

JAN COOK, ASSOCIATE COMMISSIONER

SUSAN D. PARKER, PhD, ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.

SECRETARY

**IN RE: Motor Carrier General Orders,
Rules and Regulations**

DOCKET 17238-Sub No. 2

ORDER AND NOTICE OF PROPOSED RULEMAKING

BY THE COMMISSION:

As a participant in the United Carrier Registration ("UCR") Program, the Commission is obligated by federal statute and the Unified Carrier Registration Agreement to enforce the terms of the program and to develop rules for its implementation in Alabama. The UCR Board has adopted requirements that are not currently addressed by the Commission's rules regarding UCR. The UCR Agreement requires registrants to preserve the UCR records upon which the annual applications and renewals are based for three (3) years from the due date or filing date, whichever is later, plus any time period included as a result of State decisions or inquiries. Proposed Rule 3.216(h) would bring the Commission's rules into compliance with this requirement. At its July 2009 meeting, the UCR Board adopted a requirement that registrants removing vehicles from their fleet count as intrastate only vehicles must maintain a record of which vehicles have been so removed. Proposed Rule 3.216(i) would bring the Commission's rules into compliance with this requirement.

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IT IS, THEREFORE, HEREBY ORDERED BY THE COMMISSION, That a rulemaking proceeding is hereby instituted to develop and adopt additional rules governing the Unified Carrier Registration Program.

IT IS FURTHER ORDERED BY THE COMMISSION, That written comments will be considered on the proposed rules at Appendix A if received within thirty (30) days of the date hereof.

IT IS FURTHER ORDERED BY THE COMMISSION, That jurisdiction in this cause is hereby retained for the issuance of any further order or orders as may appear to be just and reasonable in the premises.

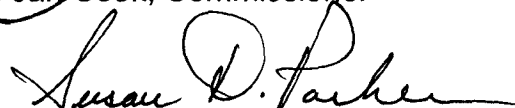
IT IS FURTHER ORDERED, That this Order shall be effective as of the date hereof.

DONE at Montgomery, Alabama, this 11th day of May, 2010.

ALABAMA PUBLIC SERVICE COMMISSION


Lucy Baxley, President


Jan Cook, Commissioner


Susan D. Parker, Commissioner

ATTEST: A True Copy


Walter L. Thomas, Jr., Secretary

Appendix A

MOTOR CARRIER GENERAL ORDERS RULES AND REGULATIONS

Proposed Rule 3.216(h)

All Motor Carriers, Motor Private Carriers, Freight Forwarders, Brokers, and Leasing Companies ("UCR Registrants") domiciled in Alabama and required to register with the Unified Carrier Registration system shall preserve the UCR records upon which the annual application and renewal are based, including registration receipts, for a period of three (3) years from the due date or filing date, whichever is later, plus any time period included as a result of Commission order. Said records shall be maintained at the UCR Registrant's place of business where its business records are maintained and shall be made available for inspection by Alabama Public Service Commission employees and/or agents upon demand.

Proposed Rule 3.216(i)

Any Motor Carrier or Motor Private Carrier that excludes from its fleet size calculation commercial motor vehicles used exclusively in the intrastate transportation of property, waste, or recyclable material in accordance with 49 USC §14504a(f)(3) shall maintain a record of such excluded vehicles on such forms as prescribed by the Alabama Public Service Commission and shall make available said records to Alabama Public Service Commission employees and/or agents upon demand.